

**SENATE BILL REPORT**

**E2SSB 5306**

**AS PASSED SENATE, MARCH 17, 1993**

**Brief Description:** Reforming education.

**SPONSORS:** Senate Committee on Ways & Means (originally sponsored by Senators Pelz, Gaspard, Moyer, Rinehart, McAuliffe, Spanel, A. Smith, Winsley, Skratek and Drew; by request of Council on Education Reform and Funding)

**SENATE COMMITTEE ON EDUCATION**

**Majority Report:** That Substitute Senate Bill No. 5306 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Pelz, Chairman; McAuliffe, Vice Chairman; Gaspard, M. Rasmussen, Rinehart, Skratek, A. Smith, and Winsley.

**Staff:** Larry Davis (786-7422)

**Hearing Dates:** February 15, 1993; February 17, 1993; February 19, 1993; February 22, 1993; February 24, 1993; February 26, 1993

**SENATE COMMITTEE ON WAYS & MEANS**

**Majority Report:** That Second Substitute Senate Bill No. 5306 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Bauer, Gaspard, Hargrove, Jesernig, Moyer, Owen, Pelz, Snyder, Sutherland, Williams, and Wojahn.

**Staff:** Bill Freund (786-7441)

**Hearing Dates:** March 12, 1993

**BACKGROUND:**

In 1992, the Legislature established a process for the development and implementation of new student assessment and school accountability systems for the state's public schools. Key to this legislation was creation of the Commission on Student Learning. The commission has specific responsibility for developing the new assessment and accountability systems, as well as responsibility to take other actions as may be necessary to move the common schools toward a "performance-based" system.

In May 1991, Governor Gardner created the Governor's Council on Education Reform and Funding. The council developed a series of recommendations to contribute further toward

improving the education system. The council's legislative recommendations are included in its December 1992 final report and are incorporated into SB 5306.

**SUMMARY:**

**Community Selection of Local Education Program.** Each school district board of directors may authorize a school or schools in the district to participate in the performance-based education system to be developed by the Commission on Student Learning. The school board must hold at least one public hearing before adopting a motion stating which school(s) may participate. School boards may repeal motions allowing schools in the district to participate. Schools not authorized or choosing to participate are not subject to 1998 Basic Education Act repealers and changes.

Schools authorized to participate in the performance-based education system are required to continue to use the state 4th, 8th, and 11th grade standardized achievement tests for at least five school years following the date of first participation in the performance-based education system.

**Private School and Homeschool Exemption.** Private schools and homeschooled children are not subject to the statewide student learning goals, the essential learning requirements, the performance-based assessment systems to be developed by the Commission on Student Learning, or the certificate of mastery. 1992 amendments to the private school law, effective in 1998, are repealed.

**Legislative Oversight.** A 12-member legislative joint select committee on education reform is created to monitor the work of the Commission on Student Learning, monitor the work of the State Board of Education in developing new certification requirements, and conduct other monitoring activities. The joint select committee reports annually to the Legislature.

**Student Learning Goals.** The following student learning goals are established: "schools, together with parents and communities, shall help all students develop the knowledge, skills, and attributes essential to:

(1) Communicate effectively and responsibly in a variety of ways and settings;

(2) Know and apply the core concepts and principles of mathematics; social, physical, and life sciences; arts; humanities; and health and fitness;

(3) Think critically and creatively and integrate experience and knowledge to form reasoned judgments, solve problems and resolve conflicts;

(4) Function as caring and responsible individuals and contributing members of families, work groups, and communities."

The State Board of Education shall adopt the goals in rule and update them at least once every ten years. School boards may adopt procedures to permit parents to remove their children from courses offered primarily to meet goal #4.

**Commission on Student Learning Duties/Responsibilities That Are Repealed:**

Strategies to Assist Educators: The requirement that the commission develop strategies to assist educators help students master the essential academic learning requirements.

Quality Schools Center: The requirement that the commission develop a quality schools center which would plan, implement, and evaluate a high quality professional development process.

**Commission Duties/Responsibilities That Are Modified:**

Membership: The commission is expanded from nine to 11 members. The Governor shall appoint the two additional members, appoint the chair of the commission, and fill vacancies of Governor-appointed positions.

Staffing: The Superintendent of Public Instruction, instead of the Office of Financial Management, is given administrative oversight and shall serve as the fiscal agent for the commission.

Certificate of Mastery: Language is added to specify that the Certificate of Mastery shall occur "at about age sixteen." The certificate of mastery shall be based only on student learning goals #1 through #3.

Assessment System Development: The commission must take into consideration the issue of disproportionality when developing the new assessment system.

Incentive Program: The commission develops and OSPI administers an incentive program to provide awards every two years to schools where a large percentage of students significantly exceed the essential learning requirements. Each school is assessed individually against its own baseline for the rewards program. Data shall not be used to compare one school against another. Incentives are based on the rate of percentage change of students achieving performance goals. School staff, in partnership with the school site council, shall decide how to spend the reward.

Assistance Program: The commission develops and OSPI administers a program to assist districts and schools in which learning is significantly below expected levels of performance. The assistance program includes a process for the State Superintendent to intervene in the operation of districts or schools that dramatically and persistently fail to help students meet the essential learning requirements.

Time for Restructuring Grants/Site Councils: A staff development grant program for local districts and schools is

created to provide additional resources for nonstudent days for schools for staff development, planning, and implementation activities related to moving toward a performance-based system. To be eligible for staff development program grants, districts must submit to the State Board of Education school building applications to develop broad-based strategic restructuring plans.

Grants are for an average of five additional days for state-funded certificated instructional staff and state-funded classified instructional and secretarial staff in each building. The program is funded beginning the second year of the biennium.

School boards must adopt a policy authorizing school site-based councils in order to apply for the five nonstudent days of planning. The policy must address such issues as: district recognition of site councils; site council membership; and designation of activities with which site-based councils may become involved. Districts are required to hold at least one public hearing on all school restructuring plans before submitting a grant application.

**Other Provisions:**

Principal Internship Support Program: A principal internship program is created to provide up to 200 principal internships annually. The purpose of the program is to enhance the leadership training of prospective principals. A 25 percent local match is required.

Mentor Teacher Program: The current statutory Teacher Assistance Program is fully funded to provide a mentor teacher for every beginning teacher and to fund in up to ten school districts up to 500 pairs of a mentor teacher to work with an experienced but struggling teacher.

Educator Certification Requirements/Educator Preparation Program Approval: The State Board is directed to adopt rules implementing the recommendations of the Board's joint study with the Governor's Council on Education Reform and Funding on certification requirements. The recommendations include a three-level certification system and creation of an advisory board for professional teaching standards with a majority of practicing teachers. The State Board is required to adopt outcomes-based program approval standards for educator preparation programs.

Parent and Community Involvement: The State Superintendent appoints a 12-member parent and community advisory council. The council advises the Superintendent on: how to increase parent and community involvement in education; identify obstacles to greater involvement; and recommend strategies for helping parents and community members participate effectively in school site-based decision-making.

Office of Educational Restructuring, Research and Technical Assistance: The clearinghouse of educational information

within the Office of the Superintendent of Public Instruction is renamed and given a new focus. The new office will provide technical assistance to educators, using practitioners whenever possible, and disseminate information to the K-12 system about the work of the Commission on Student Learning. The Superintendent reports annually to the Commission on Student Learning on the activities of the new office.

Coordinated Social and Health Services: Beginning with the 1993-94 school year, from funds appropriated, SPI allocates funds for pilot programs in ten counties or municipalities to better meet the needs of children and families so that children can achieve in school.

Beginning with the 1994-95 school year, from funds appropriated, funds are allocated for statewide implementation for programs that assist children to achieve in school. To qualify for funds, local districts and schools, local service providers, local governments, state agencies, and persons organized for the purpose of designing and providing services for children and families, shall develop plans for enhancing the flexibility, coordination, and responsiveness of educational, social, and health services for students and families identified as at-risk. Plans shall address the needs of children and families in a county or multi-county or municipal or multi-municipal area. The Family Policy Council reviews local plans by November 1, 1993, and the beginning of every school year thereafter. Funds shall be used only for those plans and services approved by the Family Policy Council.

Technology: The State Superintendent is to develop and implement a Washington State technology program that includes the following: grants and technical assistance to help districts integrate technology into the learning process; develop on-line information services, including staff support; expansion of statewide networks; and establishing educational technology centers in each educational service district. A local 25 percent match is required, which may be waived if the district's property wealth would prevent the district from applying for a grant.

Deregulation: The State Superintendent and the State Board of Education are directed to review all K-12 laws and report annually to the Legislature through January 1997. Broad citizen involvement is required in conducting the review.

Choice Tuition or Transfer Fees: Beginning with the 1993-94 school year, school districts are prohibited from establishing transfer fees or tuition for nonresident students enrolled under the educational "Choice" program.

New Funding System: An eight-member legislative fiscal study committee is created to study the state operating budget for the common school system, and other sections of the budget which have a direct or indirect impact on the school system. The committee reports to the full Legislature by January 16,

1995 with findings and any recommendations for a new funding model for the common school system.

District Restructuring Reports: Each school district shall publish an annual performance report to the community, beginning with the 1994-95 school year. The report must be published in a format that is easily understood by persons who are not professional educators. The annual reports must show whether schools in the district are progressing over the course of years. The report must be delivered to every parent with children in the district, including an individual report on the student's progress in attaining mastery of the essential learning requirements.

Annual State of Education Address: Beginning with the 1994 legislative session, the Superintendent of Public Instruction presents separately to the Senate and House of Representatives an annual state of education address.

School-to-Work Transitions: The academic and vocational integration program is renamed the school-to-work transitions program. The basic intent of the program remains the same: to combine academic and vocational education into a single instructional system that is responsive to the educational needs of all students. Projects are no longer limited to high schools only, but may also include middle and junior high schools. The State Superintendent and the State Board of Education are authorized to develop a process by which teacher preparation programs may apply to participate in the program.

Deserving Student Scholarship Program: By December 1, 1998, the Higher Education Coordinating Board shall develop a two-year scholarship plan for deserving students who have achieved a certificate of mastery and have graduated from high school. A deserving student is defined as one whose family income is below the statewide median family income.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested February 10, 1993

**TESTIMONY FOR (on proposed substitute):**

Local acceptance of reform is key to making reform work. Letting districts and schools opt into the new system is appropriate. Until the state knows whether or not the new performance-based system works, districts need flexibility and authority to pursue restructuring on their terms. Local control is celebrated and debate is required at the district and building level. Reform is not mandated in the proposed substitute but the components needed for successful reform are included in the bill. The proposed substitute strikes a balance between local control and state prescription on school site councils.

The student learning goals are good. Establishing the student learning goals in rule by the State Board of Education allows flexibility to change the goals as needed.

Making available nonstudent time for planning for restructuring is critical and an important element of restructuring. It takes time and resources to change. Funding is needed to develop people. Classified employees need professional development, too.

Mentoring new teachers is vital. Fully funding the Teacher Assistance Program is very important. Providing mentors for experienced but struggling teachers would be very helpful. We cannot throw away teachers anymore than we can throw away students.

Strengthening building leadership is critical to successful reform. The principal internship support program is an important element of the bill.

Supporting parent and community involvement in our schools is desired and needed. Establishing a parent and community advisory council will allow consistent input from parents and community members to the State Superintendent's office. Funds should be dedicated to support training of parents to be more effectively involved in education.

There is explicit recognition of the right to homeschool children or have children attend private schools.

The various responsibilities appropriately are delegated to more than one group. Keeping certification responsibilities with the State Board of Education is good given the Board's experience in this area. The focus of the Commission on Student Learning is kept on the development of standards and assessments. There is appropriate recognition of restructuring efforts already underway around the state and the commission should use the experience of districts and schools.

Student diversity is recognized. There needs to be a focus on the needs of children of color. The quality of society in the future will be reflected in the equity of opportunity provided for all children. There is recognition that students learn differently and at different rates. It is good that special education is given recognition.

Readiness requires collaboration and the proposed substitute fully recognizes and supports this. Making sure young students are ready to learn when they enter school is an important element of restructuring. It is important that the focus of readiness to learn be on prevention and early intervention.

The State Superintendent's office welcomes the renamed and redefined function of the office of educational restructuring, research, and technical assistance. The review of state K-12 laws by the agencies historically responsible for adopting

them is appropriate. OSPI and the State Board have experience with those laws and rules which work best.

Technology is an important element of restructuring and is appropriately recognized in the bill.

**TESTIMONY AGAINST (on proposed substitute):**

This is bad legislation. It is state control of children. It is an experiment with our kids. The student learning goals are weak and vague. Parents are opposed to universal learning goals. There is a lack of focus on academics. 70 percent of the goals are attitudinal, 30 percent are academic. Parents do not understand or like the student learning goals. Where are the academics? How will the state implement and test family values, honesty, etc.? The bill defines "good" teaching as challenging the fixed beliefs of students.

Outcomes-based education is not supported by research. It has not been proven effective. It has failed in Chicago, Pasco, England and elsewhere. Outcomes-based education is an expensive experiment that doesn't work. The bill is an expensive proposition. Carry-forward costs are not addressed. Will there be funding in future years? The tax burden to implement the bill will break the people.

I don't like the Commission on Student Learning. What are the qualifications of the members appointed to serve on the Commission on Student Learning? The commission will drive everything. State accountability is questionable. Slow the process down and look at what has worked. Is this the latest "plan of the year"? Will there be another plan in two years? Reform fads have dumbed us down.

There has not been the kind of public dialogue change of this magnitude deserves. Take it to the public via referendum for a full discussion.

**TESTIMONY (Other):**

More legislative oversight is needed. The proposal for a legislative joint select committee on education reform is necessary. Private schools will be impacted and want to be participants and partners in the discussion of education reform.

The state Constitution is stronger than the federal Constitution regarding the separation of church and state. Private schools and homeschools need to be clearly excluded from the provisions of the bill. Return to pre-1992 statute governing private schools. We are concerned about what will or will not affect homeschoolers. The certificate of mastery should not be equivalent to or replace high school graduation requirements.

Don't mandate site-based decision-making. Local control is lost with appointed, unelected councils. Let districts develop their own models for site-based decision-making. We



don't have hard evidence yet of improved student performance under outcomes-based education. It is premature to mandate outcomes-based education at this time.

Parents have the inherent right to be equal partners but they need help to become fully empowered. Higher education has an obligation to participate in education reform, particularly with respect to the training of new teachers. Standardized achievement tests must be retained until alternative assessments are validated. Funding for the program must be new, not in lieu of salary increases or pulling dollars from existing programs.

A school-to-work transitions program needs to be included in the bill. 75 percent of today's kindergartners will not complete a four-year degree program. We have to do more for the noncollege bound students.

**Testified:** PRO: Superintendent of Public Instruction Judith Billings; C.T. Purdom, Washington Education Association; Dwayne Slate, Washington State School Directors' Association; Cheryl Hawes, Washington State PTA; Walter Ball, Association of Washington School Principals; Norm Wisner, Washington Association of School Administrators; Candy Curl, member, State Board of Education; Sen. Emilio Cantu (on SB 5640, amended into SSB 5306); Marlene Coplen, Workforce Training and Education Coordinating Board; Lynn McKinnon, Public School Employees of Washington; Virginia DeForest, American Association of University Women; B. Candy Gamble, Arts Education Advisory Coalition; Elaine Jones, Higher Education Coordinating Board, Cynthia Flynn, Council of Presidents; Ron Crossland, State Board for Community and Technical Colleges

**Testified:** CON: Aubryn McCarrell, parent; Susy Armstrong, parent; Lynn Harsh, Evergreen Foundation; Richard Eastman, parent; Chris Shardelman, citizen; Kristi Rankin, teacher; Helen Belvin, Citizens Alliance for Responsible Education; Michele Smith, parent; Paul Bailey, parent; Barbara Riggs, parent

**Testified:** OTHER: James Kelly, Washington State African-American Affairs Commission; Ned Dolejsi, Washington State Catholic Conference and Washington Federation of Independent Schools; Douglas Bond, Tacoma Baptist Schools; Harvey Thomas, parent; David Mitchum, parent; Keith Easterly, Moses Lake School Board; Mary Roy (?), parent